

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

STOUT CONRAD, LLC
Plaintiff

v.

KERR-MCGEE OIL & GAS ONSHORE LP
Defendant

* 2:24-CV-00171-JDC-TPL
*
* JUDGE JAMES D. CAIN, Jr.
*
* MAG. JUDGE THOMAS
* LEBLANC
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**DEFENDANTS KERR-MCGEE OIL & GAS ONSHORE LP AND ANADARKO
US OFFSHORE LLC’S MOTION AND INCORPORATED MEMORANDUM IN
SUPPORT WITHDRAWING 12(B)(6) MOTION TO DISMISS PLAINTIFF’S CLAIMS
FOR LAND LOSS, SUBSIDENCE, AND THE COST OF BACKFILLING**

NOW INTO COURT, through undersigned counsel, come Defendants, Kerr-McGee Oil & Gas Onshore LP and Anadarko US Offshore LLC (“KMOGO”), which respectfully withdraws its 12(b)(6) Motion to Dismiss regarding Plaintiff’s claims for Land Loss, Subsidence, and the Cost of Backfilling contained in “Kerr-McGee Oil & Gas Onshore LP & Anadarko US Offshore LLC’s Motion to Dismiss” (Rec. Doc. 23). KMOGO’s Memorandum in Support (Rec. Doc. 23-1) inadvertently mis-cited the prior ruling of this Court in *Withrow v. Chevron USA Inc.*, 2022 U.S. Dist. LEXIS 109949 (W.D. La. June 21, 2022). Accordingly, and to expedite the Court’s review of KMOGO’s remaining requests to dismiss Plaintiff’s claims under Rule 12(b)(6), KMOGO will withdraw its request to dismiss Plaintiff’s claims for Land Loss, Subsidence, and the Cost of Backfilling.

KMOGO’s request does not seek to withdraw any other requests for relief contained in its Motion to Dismiss. KMOGO further submits that opposing counsel consents to the requested withdrawal and that no separate memorandum is required to be provided with this motion pursuant to Western District Local Rule 7.4.1

Respectfully submitted,

/s/ Meghan E. Smith

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***Counsel for Kerr-McGee Oil Gas Onshore
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 23rd day of May, 2024, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, which will send notice of electronic filing to all counsel registered for electronic service. I further certify that I have served a copy of the foregoing pleading on all parties to this proceeding not registered for electronic service, by e-mailing, faxing, and/or mailing the same by United States mail, properly addressed and first-class postage prepaid.

/s/ Meghan E. Smith